

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	MCCLURKEN	Examiner:	PEFFLEY, MICHAEL F.
Serial No.:	10/773,503	Group Art Unit:	3739
Filed:	FEBRUARY 6, 2004	Docket No.:	TLK019CON (formerly 13045.0020USC1)
Customer No.:	32047	Confirmation No.:	6627
Title:	ELECTROSURGICAL DEVICE HAVING A TISSUE REDUCTION SENSOR		

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**AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION**

This Amendment is in response to the Final Office Action mailed December 30, 2008 and is accompanied by a Request For Continued Examination (RCE) under 37 CFR 1.114. Authorization to charge a credit card has been provided upon electronic filing of this amendment for the RCE fee and a three-month extension fee to extend the term for response from March 30, 2009 to June 30, 2009. Applicant(s) believes that no other extension of time is required. However, Applicant(s) conditionally petitions for an extension of time to provide for the possibility that the need for such a petition has been inadvertently overlooked. As provided below, please charge Deposit Account No. 50-2121 for any required fee or any deficiency in the enclosed fee.

Applicant(s) appreciates the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the following:

- **Amendments to the Claims** beginning on page 2 of this paper; and
- **Remarks** beginning on page 7 of this paper.